

**Notice of Allowability**

Application No.

09/496,451

Examiner

Thierry L. Pham

Applicant(s)

DOWNING, STEVEN P

Art Unit

2624

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/6/05.
2. ☒ The allowed claim(s) is/are 2, 4-25, 27, and 29-32 are allowed; renumbered as claims 1-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

### DETAILED ACTION

This action is responsive to the following communication: Appeal Brief filed on 10/6/05.

#### *Response to Arguments*

Applicant's arguments, see pages 9-22, filed 10/6/05, with respect to claims 2, 4-25, 27, and 29-32 have been fully considered and are persuasive. The prior art rejection of claims 2, 4-25, 27, and 29-32 has been withdrawn.

#### *Allowable Subject Matter*

Claims 2, 4-25, 27, and 29-32 are allowable over prior art of record; renumbered as claims 1-28.

The following is an examiner's statement of reasons for allowance:

- The cited prior art (US 4916638 to Haselby et al and US 5297017 to Haselby et al) of record teaches a swath printer, but the prior art of record fails to teach and/or suggest "providing relative motion between the print medium and the printing element to accurately position the printing element in dependence on the sensed position of the edge of the just printed portion of the image to align the top edge of the next swath to be printed in relation to the bottom edge of the previously printed swath, wherein said step of providing relative motion is carried out on the fly as the portion of the image is being printed and the printing element is moving in the scan axis *and in combinations of other features*" as cited in independent claims 2, 13, 25, 27, 31-32.
- The cited prior art (US 4916638 to Haselby et al and US 5297017 to Haselby et al) also fail to teach and/or suggest "provide relative motion between the print medium and the printing element to accurately position the printing element in dependence on the sensed position of the edge of the just printed portion of the image, said providing relative motion comprising moving the printing element in a direction transverse to the swath axis *and in combinations of other features*" as cited in claims 6 & 12.
- The cited prior art of record (US 4916638 to Haselby) teaches a media advance system for precisely position the media for the next successive swath to be printed based upon a sensed marginal line of previous printed swath, but fails to teach and/or suggest a media advance system for precisely position the media for the next successive swath to be printed based upon a of zone

Art Unit: 2624

values of second swath which need high accuracy swath alignment and its errors alignment compensation values and in combinations of other features as cited in claim 25. The examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of prior arts that teaches the above limitations and in combinations of other features cited in claims 2, 6, 12-13, 25, 27, and 31-32.

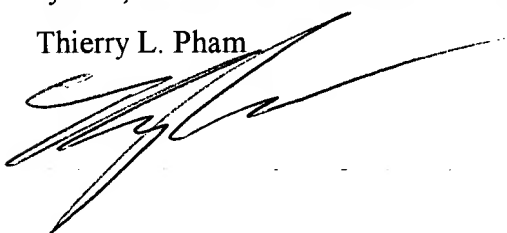
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham



**DAVID MOORE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**